REMARKS

This amendment is in response to the Final Rejection of the pending claims in the Office Action of December 15, 2005.

Claims 1 through 5 and 7 through 21 are currently pending in the application.

Claims 1, 4, 7, 8, 10 through 13, 16, and 18 through 20 have been amended herein. Claim 14 was previously canceled herein. Support for the amendments may be found throughout the specification and particularly in paragraphs [0009] to [0015]. No new matter has been entered to the disclosure as the amendment clearly complies with 35 U.S.C. § 132. The amendments are made without prejudice or disclaimer.

After carefully considering the cited art, the rejections, and the Examiner's comments, Applicant has amended the claimed invention to clearly distinguish over the cited art. Applicant respectfully requests reconsideration of the rejections.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on Suzuki (U.S. Patent 6,163,658)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Suzuki (U.S. Patent 6,163,658) (hereinafter "Suzuki"). Applicant respectfully traverses this rejection as hereinafter set forth.

Applicant asserts that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Presently amended independent claim 1 recites a method for saving and restoring printer control settings, comprising . . . selecting control settings for a printer using a control panel graphic user interface of the printer, the control panel graphic user interface having a capacity to access at least one additional printer, executing a printer control program for determining the selected control settings for the printer, and saving the selected control settings to firmware of the printer.

Applicant asserts that Suzuki does not identically describe, either expressly or inherently, each and every element of presently amended independent claim 1 in as complete detail as contained in the claim to anticipate the claimed invention under 35 U.S.C. § 102.

Applicant asserts that Suzuki does not describe the element of the claimed invention calling for "saving said selected control settings to firmware of said printer." Suzuki discloses a removable process cartridge that includes a storage medium. *See, e.g., Column 4, lines 58-60.* Applicant asserts that the storage medium of Suzuki does not describe firmware. Additionally, Applicant asserts that Suzuki does not describe the element of the claimed invention calling for "a control panel graphic user interface." In contrast to the claimed invention, Suzuki discloses a "display screen-equipped control panel." *Column 4, lines 61-62.* The display screen of Suzuki only discloses displaying alphanumeric messages. *See, e.g., Column 5, lines 58-61.* Suzuki does not describe a graphic user interface. Furthermore, Applicant asserts that Suzuki does not describe the element of the claimed invention calling for "said control panel graphic user interface having a capacity to access at least one additional printer." Suzuki does not disclose the element of the invention calling for "access to at least one additional printer." For at least these three reasons, Suzuki does not anticipate presently amended claim 1 under 35 U.S.C. § 102. Accordingly, presently amended independent claim 1 is allowable.

35 U.S.C. § 103(a) Obviousness Rejections
Obviousness Rejection Based on Suzuki in View of Chiles *et al.* (U.S. Patent 6,167,567)

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Chiles *et al.* (U.S. Patent 6,167,567) (hereinafter "Chiles"). Applicant respectfully traverses this rejection, as hereinafter set forth.

Applicant asserts that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure.

Regarding claim 2, Applicant asserts that Suzuki and Chiles, assuming combinability *arguendo*, do not teach or suggest all of the claim limitations of presently amended independent claim 1 to establish a *prima facie* case of obviousness regarding the invention of

claim 1 under 35 U.S.C. § 103. Therefore, presently amended independent claim 1 is allowable. Claim 2 is allowable for at least the reason of depending from allowable presently amended independent claim 1.

Additionally, Applicant asserts that claim 2 is allowable because neither Suzuki nor Chiles teach or suggest the claim limitation calling for "invoking a firmware update on said printer" as recited in the claim. Chiles teaches or suggests firmware updates of network computers. *Column 3, lines 28-34.* Chiles teaches or suggests that "it can also update device firmware, device drivers, O/S modules and nearly any other software that resides on the client computer itself or on substantially any computer in the network, or device accessible to the network." *Column 4, line 67 to Column 5, line 4.* That does not teach or suggest a printer. Suzuki and Chiles are not combinable because Suzuki relates to process cartridges and Chiles relates to network computers. For at least these two reasons, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because any combination of the cited art cannot and does not teach or suggest all the claim limitations of the claimed invention and the cited art is not combinable. Accordingly, dependent claim 2 is allowable.

Obviousness Rejection Based on Suzuki in View of Kimber *et al.* (U.S. Patent 5,371,837)

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Kimber *et al.* (U.S. Patent 5,371,837) (hereinafter "Kimber"). Applicant respectfully traverses this rejection, as hereinafter set forth.

Regarding claim 3, Applicant asserts that Suzuki and Kimber, assuming combinability *arguendo*, do not teach or suggest all of the claim limitations of presently amended independent claim 1 to establish a *prima facie* case of obviousness regarding the invention of claim 1 under 35 U.S.C. § 103. Therefore, presently amended independent claim 1 is allowable. Claim 3 is allowable for at least the reason of depending from allowable presently amended independent claim 1.

Additionally, Applicant asserts that claim 3 is allowable because neither Suzuki nor Kimber teach or suggest the claim limitation calling for "selecting at least one additional printer" as recited in the claim. Kimber teaches or suggests that a user of a single printer can select between a "plurality of default configurations (Virtual Printers)." *Column 4, lines 17-22.* That is not selecting an additional printer. For at least this reason, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because any combination of the

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cited art cannot and does not teach or suggest all the claim limitations of the claimed invention. Accordingly, dependent claim 3 is allowable.

Obviousness Rejection Based on Hibino (U.S. Patent 5,694,618) in View of Cheng *et al.* (U.S. Patent 6,012,070)

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino (U.S. Patent 5,694,618) (hereinafter "Hibino") in view of Cheng *et al.* (U.S. Patent 6,012,070) (hereinafter "Cheng"). Applicant respectfully traverses this rejection, as hereinafter set forth.

Presently amended independent claim 4 recites a method for saving and restoring printer control settings, comprising . . . executing a printer control program for creating and saving printer control settings, using the printer control program to select a group of printers associated with the printer control program, retrieving available control settings for the group of printers, displaying the retrieved available control settings for selection by a user, selecting desired control settings from the retrieved available control settings, saving the selected desired control settings in a memory of at least one of the group of printers for later retrieval, and updating the group of printers with the desired control settings.

Applicant asserts that Hibino and Cheng, even if combined, do not teach or suggest all of the claim limitations of presently amended independent claim 4 to establish a *prima facie* case of obviousness regarding the claimed invention under 35 U.S.C. § 103. Applicant asserts that Hibino and Cheng do not teach or suggest the claim limitation of the claimed invention calling for "using said printer control program to select a group of printers." It was noted in the Office Action regarding claim 6 that Hibino and Cheng "fail to expressly disclose a means for selecting a group of printers." *Office Action of December 15, 2005, p. 4.*

Applicant further asserts that Hibino and Cheng do not teach or suggest the claim limitation of the claimed invention calling for "saving said selected desired control settings in a memory of at least one of said group of printers for later retrieval." It was noted in the Office Action that "Hibino fails to expressly disclose saving the selected desired control setting for later retrieval." *Office Action of December 15, 2005, p. 4.* Assuming *arguendo* that the print setup information of Cheng is "selected desired control settings," Cheng discloses that the print setup information is stored at the printing facility in a manufacturing database. *Column 5, lines 27-29; Column 11, lines 25-28.* The manufacturing database of

Cheng is not stored in the memory of a printer. *See, e.g., FIG. 16.* Therefore, neither Cheng nor Hibino teach or suggest "saving said selected desired control settings in a memory of at least one of said group of printers for later retrieval."

For at least these reasons, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because any combination of the cited art cannot and does not teach or suggest all the claim limitations of the claimed invention. Accordingly, presently amended independent claim 4 is allowable.

Claim 5 is allowable for at least the reason of depending from allowable presently amended independent claim 4.

Obviousness Rejection Based on Hibino in View of Cheng and in Further View of Kulakowski *et al.* (U.S. Patent 6,229,621)

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng and in further view of Kulakowski *et al.* (U.S. Patent 6,229,621) (hereinafter "Kulakowski"). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 6 has been canceled and the subject matter incorporated into claims 4 and 12.

However, Applicant asserts there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Hibino or to combine Kulakowski with Hibino and Cheng to establish a *prima facie* case of obviousness regarding the subject matter of now canceled claim 6 under 35 U.S.C. § 103. There is no teaching, motivation, or suggestion in any of the references or in the knowledge generally available in the art to modify Hibino to read on the claim limitation calling for "selecting a group of printers." For example, there is no teaching in Kulakowski regarding how the personal computer of Hibino could be connected to a group of printers. Additionally, there is no suggestion in any of the references or in the knowledge generally available to one of ordinary skill in the art suggesting the desirability of the combination. *See, M.P.E.P. § 2143.01, Paragraph III.* For at least these reason, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established regarding the subject matter of claim 6. Accordingly, the subject matter of claim 6 is allowable.

Obviousness Rejection Based on Hibino in View of Cheng

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng. Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 7 is allowable for at least the reason of depending from allowable presently amended independent claim 4.

Obviousness Rejection Based on Hibino in View of Cheng and in Further View of Kimber

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng and in further view of Kimber. Applicant respectfully traverses this rejection, as hereinafter set forth.

Regarding claim 8, Applicant asserts that Hibino, Cheng, and Kimber, assuming combinability *arguendo*, do not teach or suggest all of the claim limitations of presently amended independent claim 4 to establish a *prima facie* case of obviousness regarding the invention of claim 4 under 35 U.S.C. § 103. Therefore, presently amended independent claim 4 is allowable. Claim 8 is allowable for at least the reason of depending from allowable presently amended independent claim 4.

Obviousness Rejection Based on Hibino in View of Cheng

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng. Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 9 is allowable for at least the reason of depending from allowable presently amended independent claim 4.

Obviousness Rejection Based on Hibino in View of Cheng and in Further View of Chiles

Claims 10, 11, 16, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng and in further view of Chiles. Applicant respectfully traverses this rejection, as hereinafter set forth.

Regarding claims 10 and 11, Applicant asserts that Hibino, Cheng, and Chiles, assuming combinability *arguendo*, do not teach or suggest all of the claim limitations of presently amended independent claim 4 to establish a *prima facie* case of obviousness regarding the invention of claim 4 under 35 U.S.C. § 103. Therefore, presently amended

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independent claim 4 is allowable. Claims 10 and 11 are allowable for at least the reason of depending from allowable presently amended independent claim 4.

Regarding claims 16 and 20, Applicant asserts that Hibino, Cheng, and Chiles, assuming combinability *arguendo*, do not teach or suggest all of the claim limitations of presently amended independent claim 12 to establish a *prima facie* case of obviousness regarding the invention of claim 12 under 35 U.S.C. § 103. Therefore, presently amended independent claim 12 is allowable. Claims 16 and 20 are allowable for at least the reason of depending from allowable presently amended independent claim 12.

Additionally, Applicant asserts that claims 11, 16, and 20 are allowable because Hibino, Cheng, and Chiles do not teach or suggest the claim limitations. Chiles discloses firmware updates of network computers. *Column 3, lines 28-34.* That does not teach or suggest a printer. Furthermore, regarding claims 10, 11, 16, and 20, Applicant asserts that Hibino and Chiles are not combinable because Chiles relates to network computers. Therefore, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because any combination of the cited art cannot and does not teach or suggest all the claim limitations of the claimed invention and the cited art is not combinable. Accordingly, claims 10, 11, 16, and 20 are allowable.

Obviousness Rejection Based on Hibino in View of Cheng

Claims 12 through 15 and 17 through 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hibino in view of Cheng. Applicant respectfully traverses this rejection, as hereinafter set forth.

Presently amended independent claim 12 recites a document production system for setting and maintaining printer control settings, comprising . . . a group of printers for printing documents conforming to stored control settings stored in a memory of at least one of the group of printers, and a printer control program for retrieving control settings from the group of printers, saving customized control settings in the memory of the at least one of the group of printers for later use, downloading customized control settings, and updating stored control settings in the memory of the at least one printer with the customized control settings.

Applicant asserts that Hibino and Cheng, even if combined, do not teach or suggest all of the claim limitations of presently amended independent claim 12 to establish a *prima facie* case of obviousness regarding the claimed invention under 35 U.S.C. § 103. Applicant

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asserts that Hibino and Cheng do not teach or suggest the claim limitation of the claimed invention calling for "a group of printers for printing documents conforming to stored control settings." It was noted in the Office Action regarding claim 6 that Hibino and Cheng "fail to expressly disclose a means for selecting a group of printers." *Office Action of December 15, 2005, p. 4.*

Applicant further asserts that Hibino and Cheng do not teach or suggest the claim limitation of the claimed invention calling for "saving customized control settings in said memory of said at least one of said group of printers for later use." It was noted in the Office Action that "Hibino fails to expressly disclose saving the selected desired control setting for later retrieval." *Office Action of December 15, 2005, p. 4.* Assuming *arguendo* that the print setup information of Cheng is "selected desired control settings," Cheng teaches or suggests that the print setup information is stored at the printing facility in a manufacturing database. *Column 5, lines 27-29; Column 11, lines 25-28.* The manufacturing database of Cheng is not stored in the memory of a printer. *See, e.g., FIG. 16.* Therefore, neither Cheng nor Hibino teach or suggest the claim limitation calling for "saving customized control settings in said memory of said at least one of said group of printers for later use."

For at least these reasons, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established because any combination of the cited art cannot and does not teach or suggest all the claim limitations of the claimed invention. Accordingly, presently amended independent claim 12 is allowable.

Claims 13 through 15 and 17 through 19 are allowable for at least the reason of depending from allowable presently amended independent claim 12.

Applicant asserts that claims 1 through 5 and 7 through 20 are clearly allowable over the cited art.

Applicant requests entry of this amendment for the following reasons:

The amendment is timely filed.

The amendment does not require any further search or consideration.

The amendment places the application in condition for allowance.

Respectfully submitted,

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